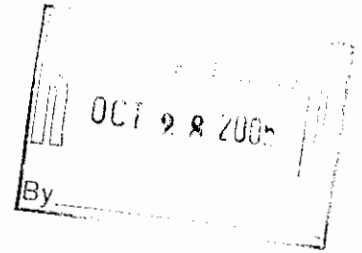


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION



CRIMINAL ACTION NO. 1:02-CR-54
(Judge Bunning)

UNITED STATES OF AMERICA

PLAINTIFF

VS.

ORDER

WALTER M. PUGH
TYREESE DORRAN PUGH

DEFENDANTS

*** **

On October 26, 2005, the above-styled action was called for a pretrial conference. The United States was represented by Assistant United States Attorneys, Amul R. Thapar and Anthony Springer; the defendant, Walter M. Pugh was present and represented by William Gallagher appearing by telephone and defendant, Tyreese Dorran Pugh was present and represented by Jay Clark. The proceedings were recorded by official court reporter, Lisa Wiesman.

The Court having heard counsel and having been sufficiently advised,

IT IS ORDERED as follows:

1. Defendant Walter M. Pugh's motion to release defendant's legal material (Doc #104) is **DENIED as moot**.
2. Defendant Walter M. Pugh's motion for expert witness fees to be paid by the government (Doc #105) is **DENIED as moot**.
3. Defendant Walter M. Pugh's motion for discovery and bill of particulars (Doc. #106) is **DENIED as moot**.

4. The government's motion for new trial (Doc. #97) is **DENIED as moot** inasmuch as a new trial date was previously set.

5. The proposed juror questionnaire submitted to chambers by attorney for defendant, Tyreese Dorran Pugh, shall be construed as defendant Tyreese Dorran Pugh's proposed voir dire questions and shall be filed in the court record.

6. The parties will also file any additional proposed voir dire questions no later than **November 4, 2005**.

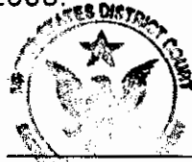
7. This matter remains scheduled for trial on **November 14, 2005 at 9:30 a.m.** Counsel will be present at 9:00 a.m. The court will seat twelve jurors and two alternates. The government will have six peremptory challenges and the defendants will have ten peremptory challenges jointly. The government and the defendants jointly will have one peremptory challenge for the alternates.

8. The parties shall file a pretrial memorandum which shall include any objections to using the jury instructions used in the prior trial no later than **November 4, 2005**.

9. The parties shall also submit to chambers of Judge David L. Bunning *ex parte* proposed witness lists with summary of witnesses and approximate length of witness testimony no later than **November 4, 2005**.

10. Defendant Walter M. Pugh having indicated that he no longer wishes to represent himself, William Gallagher is no longer designated as advisory or stand-by counsel for Walter M. Pugh.

This 27th day of October, 2005.



Signed By:

David L. Bunning

United States District Judge

DAVID L. BUNNING

UNITED STATES DISTRICT JUDGE

TIC		40
-----	--	----

G:\DATA\ORDERS\SD-Ohio cases\02-54 PTC Order 10-26-05.wpd